

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION**

JEFFREY OLSZOWKA,)
on behalf of himself and all others)
similarly situated,)
Plaintiffs,) Hon. John A. Nordberg
v.) Magistrate Judge Susan E. Cox
VILLAGE OF CHICAGO RIDGE,) Case No. 07 CV 6115
Defendant.)

**JOINT MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff, Jeffrey Olszowka (the “Class Representative”), and Defendant, the Village of Chicago Ridge, (collectively with the Class Representative, the “Parties”) respectfully request that this Court enter an order: (1) certifying a class for settlement purposes; (2) preliminarily approving the proposed Settlement Agreement, attached hereto as Exhibit A; (3) directing notice to the Class; and (4) setting dates for opt-outs, objections, and a final fairness hearing pursuant to Federal Rule of Civil Procedure 23(c)(2).

In support of their motion, the Parties state:

1. Counsel for the Parties have reviewed and analyzed the complex legal and factual issues presented in this action, and the risks and expense involved in pursuing the litigation to conclusion.

2. Based upon this review and analysis, the Parties embarked upon and concluded comprehensive settlement discussions and executed the Class Action Settlement Agreement and Release (the “Settlement Agreement”), attached as Exhibit A.

3. Under the terms of the Class Action Settlement Agreement and subject to Court approval:

a. Defendant agrees to pay to the Class an aggregate amount of up to \$14,000. The \$14,000 shall be divided on a *pro rata* basis among those Class Members who return a fully-executed, complete, timely, and truthful Claim Form, postmarked no later than 45 days after the Notice Date, indicating a desire to receive a share of the fund. Class Members may receive up to \$10 for each accident report they requested, along the terms and conditions set forth in the Parties' Settlement Agreement.

b. Defendant must pay all costs associated with sending notice and administering the claims of the class.

c. For the Class Representative's role in this litigation, Defendant must pay the Class Representative \$1,000.00.

d. Defendant will pay Plaintiff's counsels' reasonable attorneys' fees and costs in the amount of \$15,000. This amount has been derived by negotiation between the parties based upon Plaintiff's counsels' current hourly rates multiplied by the time spent in the litigation and is to be paid in addition to, and not out of, the amounts paid to the Class Representative and the Class Members.

e. Defendant must cause to be mailed by first class mail: (1) the Class Notice, and (2) the settlement checks, as required. Defendant must pay all fees and costs associated with notice and distribution of funds to the Class.

4. Counsel for Plaintiff and the proposed class believe that the settlement of this action on the terms and conditions set forth in the Settlement Agreement is fair, reasonable, and adequate, and would be in the best interests of the members of the proposed class.

5. In connection with the proposed settlement, the Parties move the Court to certify the following class for settlement purposes only:

All persons or entities who, according to Defendant's records: (a) from January 1, 2002 through December 31, 2007; (b) were charged \$15 for a police report by the Village of Chicago Ridge.

6. The Parties desire to settle and compromise the litigation on the terms and conditions embodied in the Class Settlement Agreement if the Court certifies the class described in paragraph 5 above.

7. The Parties have agreed on the form of notice to be sent to the Class, attached as Exhibit 2 to the Settlement Agreement.

8. The Parties have agreed on the proposed preliminary approval order and final approval order, attached as Exhibits 4 and 5 to the Settlement Agreement, respectively.

WHEREFORE, the Parties respectfully request that the Court enter an order: (1) certifying the class for settlement purposes; (2) preliminarily approving the proposed Class Settlement Agreement; (3) directing notice to be sent to the Class; and (4) setting dates for opt-outs, objections, and a final fairness hearing under Federal Rule of Civil Procedure 23(c)(2).

Dated: Chicago, Illinois
July 25, 2008

Respectfully submitted,

CLASS COUNSEL

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